

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
AJUL-110DV (49921-037)

Total Pages in this Submission

## TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

Colored Contact Lens and Method for Manufacturing the Same

and invented by:

Ssang-gi KIM

17497 U.S.P.T.O.  
10/706223

111203

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/161,457

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

### Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 14 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

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**Application Elements (Continued)**

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☒ Formal      Number of Sheets      9
- b. ☐ Informal      Number of Sheets      \_\_\_\_\_
4. ☒ Oath or Declaration
- a. ☐ Newly executed *(original or copy)*      ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☐ With Power of Attorney      ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Computer Readable Form (CFR)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement/PTO-1449      ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Certificate of Mailing
- ☐ First Class      ☒ Express Mail *(Specify Label No.):* EL 993 167 552 US

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

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**Accompanying Application Parts (Continued)**

17. ☒ Applicant claims small entity status. See 37 CFR 1.27.

☐ (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted: \_\_\_\_\_

18. ☒ Additional Enclosures *(please identify below)*:

copy of Petition for Two-Month Extension of Time for U.S.S.N. 10/161,457

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

19. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

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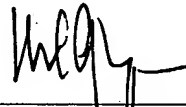
**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	9	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	2	- 3 =	0	x \$43.00	\$0.00
Multiple Dependent Claims (check if applicable) <input checked="" type="checkbox"/>					\$145.00
BASIC FEE					\$385.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$530.00

- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 50-1133 as described below.
- ☒ Charge the amount of \$530.00 as filing fee.
  - ☐ Credit any overpayment.
  - ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
  - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: November 11, 2003

  
Signature

Mark G. Lappin, Reg. No. 26,618  
McDermott, Will & Emery  
Customer No. 23630  
28 State Street  
Boston, MA 02109  
telephone: 617-535-4043

CC:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Ssang-gi KIM

Docket No.

AJUL-110DV (49921-037)

Serial No.

Not Assigned Yet

Filing Date

Herewith

Examiner

Not Assigned Yet

Group Art Unit

Not Assigned Yet

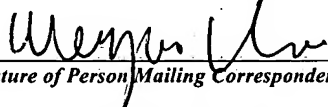
Invention: Colored Contact Lens and Method for Manufacturing the Same

I hereby certify that the following correspondence:

Transmittal Letter (4 pgs., duplicate), Patent Application ( 14 pgs.), Drawings (9 pgs.), copy of Declaration and Power of Attorney, copy of Petition for Two-Month Extension of Time for U.S.S.N. 10/161,457, and return postcard.

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

November 11, 2003*(Date)*Weiguo Chen*(Typed or Printed Name of Person Mailing Correspondence)*  
*(Signature of Person Mailing Correspondence)*EL 993 167 552 US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Saang-Gi Kim

Serial. No.: 10/161,457

Filing Date: May 31, 2002

Title: Colored Contact Lens and Method for Manufacturing the Same

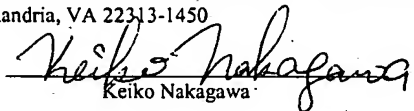
Group Art Unit: 2873

Atty. Docket No.: AJUL-110 (49921-049)

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope address to:  
MS: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: 11-11-03

  
Keiko Nakagawa

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COPY**

PETITION FOR TWO-MONTH EXTENSION OF TIME

Sir:

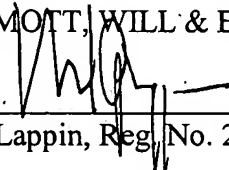
Pursuant to 37 C.F.R. 1.136(a)(3), applicant hereby petitions for a two-month extension of time to file a Response to the June 11, 2003 Office Action in the above-identified application. With the extension, the response is due on or before November 11, 2003. In lieu of a response, a Divisional Application is being filed concurrently herewith.

Please charge the appropriate fee of \$210.00 to our Deposit Account No. 50-1133. A duplicate of this sheet is enclosed.

Respectfully Submitted,

MCDERMOTT, WILL & EMERY

Date: November 11, 2003

  
Mark G. Lappin, Reg. No. 26,618

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